

1 William L. Marchant, State Bar No. 154445
2 MCKENNA LONG & ALDRIDGE LLP
3 Rincon Center II, 121 Spear Street, Suite 200
4 San Francisco, California 94105-1582
5 Telephone No.: 415.356.4600
6 Fax No.: 415.356.4610
7 E-Mail: wmarchant@mckennalong.com

8 KEATING MUETHING & KLEKAMP PLL
9 Jamie M. Ramsey, *admitted Pro Hac Vice*
10 Benjamin G. Stewart, *admitted Pro Hac Vice*
11 Suite 1400
12 One East Fourth Street
13 Cincinnati, OH 45202
14 Telephone: 513.579.6400
15 Facsimile: 513.579.6457
16 jramsey@kmklaw.com
17 bstewart@kmklaw.com

18 *Attorneys for Defendants Donald Yu, Aerielle, LLC, Great American Life Insurance Company,*
19 *Aerielle Technologies, Inc., Aerielle Acquisitions Corporation, Aerielle LP Holdings, LLC*

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 AJZN, INC. f/k/a AERIELLE, INC., a
23 California corporation,

24 Plaintiff,
25 v.

26 DONALD YU; and individual; AERIELLE,
27 LLC, a Delaware limited liability company;
28 GREAT AMERICAN LIFE INSURANCE
COMPANY, an Ohio corporation; AERIELLE
TECHNOLOGIES, INC.; a California
corporation; AERIELLE ACQUISITIONS
CORPORATION; a Delaware corporation;
AERIELLE IP HOLDINGS, LLC, an Ohio
limited liability company; and DOES 1
through 10,

29 Defendants.

30 Case No. CV 12 3348 LHK

31 **STIPULATION AND ORDER
32 CONTINUING DEADLINE FOR
33 RULE 26 CONFERENCE UNTIL AFTER
34 HEARING ON MOTION TO DISMISS
35 OR TRANSFER CASE**

36 Complaint Filed: June 28, 2012

37

38

39

40

41

42

1 The parties agree to the following:

2 WHEREAS, Defendants have filed a motion to dismiss or transfer this case to a different court
3 and the parties have submitted their respective briefs on that motion; and

4 WHEREAS, the court set the hearing for that motion for January 10, 2013, at 1:30 p.m.; and

5 WHEREAS, the court has also scheduled the initial Case Management Conference for the
6 same date and time, and

7 WHEREAS, pursuant to Rule 26 and Local Rule 16-9, the parties are required to meet and
8 confer regarding discovery, provide their initial Rule 26 disclosures, and jointly file a Rule 26(f)
9 Report and Civil Case Management Statement, prior to the initial Case Management Conference; and

10 WHEREAS, the parties have met and conferred about scheduling in this matter and are in
11 agreement that it is in both parties' interest to wait until they know the result of the Motion to Dismiss
12 or Transfer before engaging in the Rule 26 meet and confer process and filing the required joint report
13 and Case Management Statement;

14 THEREFORE, THE PARTIES STIPULATE AS FOLLOWS:

15 The parties stipulate that (1) they will hold their Rule 26(f) conference within two weeks after
16 the court rules on the pending Motion to Dismiss or Transfer, at which time they will schedule a time

17 ///

18

19

20

21

22

23

24

25

26

27

28

1 for the deadline for their Rule 26 initial disclosures; (2) they will jointly file any documents required
2 by Rule 26 and the Local Rules one week after their Rule 26(f) conference; and (3) the Case
3 Management Conference should be continued for 30 days.

4

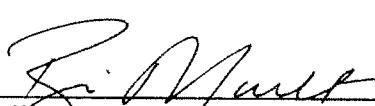
5 DATED: December 28, 2012 O'NEIL LLP

6

7 By: 
8 Lawrence J. Hilton
9 Jennifer Sun
10 Attorneys for Plaintiff

11 DATED: December 28, 2012 MCKENNA LONG & ALDRIDGE LLP

12

13 By: 
14 William L. Marchant
15 Attorneys for Defendants

16 IT IS SO ORDERED. The Case Management Conference is continued from January 10, 2013
17 at 1:30 p.m., to February 20, 2013 at 2:00 a.m./p.m.
18

19 DATED: January 1, 2013, 2012

20 January 1, 2013

21

22 By: 
23 Hon. Lucy Koh
24 United States District Court Judge

25

26

27

28